

**CITY OF ROCKVILLE PLANNING DIVISION  
STAFF REPORT**

September 18, 2003

**FINAL RECORD PLAT:** Plat of Resubdivision,  
Lots 28 and 29, Block 6,  
Harriett Park

**APPLICATION NUMBER:** PLT2003-00409

**APPLICANT:** Beulah Inc.  
5123 Edgemoor Lane  
Bethesda, Maryland 20814

**DATE FILED:** August 27, 2003

**DESCRIPTION OF PROPERTY:**

**Size:** 15,537.75 Square Feet or .356 Acres  
**Location:** 400 Park Road and 306 South Horners Lane  
**Zone:** R-60, One-Family Detached Residential  
**Present Use:** 306 Horners Lane is developed with a single-family home and 400 Park Road is in the process of being developed with a single-family home.

**PREVIOUS RELATED ACTION:**

- On August 27, 1991, the Planning Commission approved a plat for current Lot 27 on this plat as well as adjoining Lot 26, which is not part of this application.
- On March 28, 2001, the Planning Commission approved Final Record Plat application PLT2001-00295, allowing for the resubdivision of these properties.
- On April 9, 2003, the Planning Commission approved a Time Extension for Final Record Plat Application PLT2001-00295, extending the time in which it must be recorded until March 28, 2004.

**STAFF COMMENTS:**

The two property owners involved in this application intend to swap small amounts of land between the two properties. The land swap can take place without the approval of the Planning Commission as long as neither property is made non-conforming by the swap. To take advantage of the swap, however, the two lots must be rerecorded to incorporate the swapped pieces and remove the portions traded to the abutting lot.

When the prior Final Record Plat application was reviewed and approved by the Planning Commission on March 28, 2001, there were concerns expressed by staff as to the setbacks for proposed Lot 28. Those concerns are already addressed on this plat. A Time Extension was granted for the recordation of the plat due to difficulties in gaining the lender's signature on the plat. Just prior to obtaining the signature of the lender, the property owner at 306 South Horners Lane asked that one of the separating property lines be straightened out. The lender as well as all of the parties involved signed the plat and presented it for recordation. The applicant did not realize, however, that even a minor change in the property lines would require re-review by the Planning Commission.

The previously approved plat is still active and could be recorded if all parties agreed. The difficulty I recording the previous plat was getting the sign-off by the lender. Now that the applicant has the sign-off by the lender, he would prefer not to go through that process again.

**STAFF RECOMMENDATION:**

Approval, subject to the conditions noted below:

1. That the Plat be revised to make modifications/additions as identified on Planning Commission Exhibit "A" (in Planning Division file); and
2. That the Final Plat be submitted in an appropriate electronic format as specified in Section 25-782(c), (d) and (e) of the City of Rockville Zoning Ordinance.